

STAFF REPORT

DATE: August 28, 2019

TO: Board of Adjustment

FROM: Zoning Administration
Planning & Development
Services Department

ACTIVITY NO. T18SA00288

**C10-19-14 DELORENZO AND RANEK RESIDENCE/ DETACHED SLEEPING
QUARTERS AND DETACHED ACCESSORY STRUCTURE /
PAOLO DELORENZO AND ANNE RANEK / 575 SOUTH MAIN
AVENUE, HR-3 AND HO-3**

The applicant's property is an approximately 5,486 square foot lot zoned HR-3 and HO-3, "Residential" and is developed with a one room historical structure along Main Avenue. The applicant is proposing to construct a new residence and a two-story detached accessory structure for sleeping quarters. The construction triggers compliance with Tucson *Unified Development Code (UDC)* sections applicable to the new construction.

THE APPLICANTS' REQUEST TO THE BOARD

The applicants are requesting the following variances:

- 1) Allow to maintain the historic building as a detached accessory structure within the buildable area extending the full width of the lot between the proposed residence and front street lot line.
- 2) Allow combined total gross floor area of all proposed accessory structures (200 square feet or larger) to exceed 50% of the combined total gross floor area of the principal structure, all as shown on the submitted plans.

APPLICABLE TUCSON ZONING CODE SECTIONS

Tucson *Unified Development Code (UDC)* sections applicable to this project include, in part, the following:

Section 4.8.4, and Table 4.8-2 which provides criteria for residential development in the R-3 zone, and Section 4.8.5 and Table 4.8-3 which provides criteria for residential development in the O-3 zone, and

Section 6.6.3, which provides development standards applicable to accessory structures within residential zones; and

Sections 6.3.4 *Dimensional Standards and Exceptions Tables*, 6.4.5 *Perimeter Yards*, and Table 6.3-2.A *Dimensional Standards for the R-3 Zone*, which provide the development standards applicable to all principal and accessory structures.

GENERAL DEVELOPMENT INFORMATION

Zoning and Land Use

SITE: ZONED HR-3 and HO-3; (single-family residential)

North: Zoned HO-3; (historic residential)

South: Zoned HO-3; (historic residential)

East: Zoned HO-3; (historic residential)

West: Zoned HR-3; (historic residential)

RELATED PLAN REVIEWS

Historic Review

The project was reviewed approved by the Barrio Historico Zone Advisory Board under case HPZ 19-29 on April 8, 2019 and the Tucson-Pima County Historical Commission Plans Review Subcommittee on May 9, 2019.

BOARD OF ADJUSTMENT FINDINGS

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Unified Development Code. The Board may grant a variance only if it finds the following:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property.
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC.
5. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood.
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions which are in question.

ZONING ADMINISTRATION CONSIDERATIONS

The applicant's property is an approximately 5,486 square foot lot zoned HR-3 and HO-3, "Residential" and is developed with a one room historical structure along Main Avenue. The applicant is proposing to construct a new residence and a two-story detached accessory structure for sleeping quarters. The construction triggers compliance with Tucson *Unified Development Code (UDC)* sections applicable to the new construction.

Detached Accessory Structure and Detached Sleeping Quarters

Section 4.8.4 and 4.8-2 provides criteria for residential development in the R-3 zone.

Per *UDC* Section 6.6.3, detached accessory buildings are not permitted in the buildable area extending the full width of the lot between the principal building and the front street lot line. The applicant is requesting a variance to maintain the existing one room, adobe historical building as a detached accessory structure between the wall of the principal building (residence) facing the street and the street front lot line.

Per *UDC* Section 6.6.3, the total gross floor area (gfa) of all accessory structures shall not exceed 50% of the gfa of the principal structure. Accessory structures less than 200 square feet gfa are exempt from this requirement. The combined total of existing and proposed accessory structures that are 200 square feet or greater in size exceeds the 50% of the gfa of the proposed residence, as shown on the submitted plans.

Discussion

The property is located in an established historic residential neighborhood known as Armory Park /Barrio Viejo, within the National Register Barrio Libre Historic District. Lots vary in shape, and range in size from 2,200 square feet to 20,700 square feet. Many properties are developed with single family homes with detached accessory structures.

The applicant's property is developed with a single story, single room adobe structure along Main Avenue. The building is a contributing structure on the National Register of Historic Places and is scheduled for restoration. The proposal involves constructing a new residence at 1,054 square feet in area behind (just west of) the historic structure, and build a new detached sleeping quarters further behind (west of) the residence at approximately 1,470 square feet in habitable space. The planned detached sleeping quarters is shown as a two-story building, compatible with other structures within the historic neighborhood. The project was reviewed by the Barrio Historico Zone Advisory Board under case HPZ 19-29. Both structure height and building setbacks were found compatible with the neighborhood.

The location of the existing historic adobe structure on the property, combined with the narrow width of the lot and vehicle access point, limits the location where new structures can be built. Based on existing conditions, the area east of the adobe structure is the most reasonable location for the proposed structures.

Conclusion

Given that special physical circumstances exist that limit the buildable area; and that the proposed residence and detached sleeping quarters are not out of character with other development in this historic neighborhood, and does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone, staff recommends approval of the requested variances.

NEIGHBORHOOD CONTACT (BY APPLICANT)

See the attached neighborhood notifications by the applicant, dated June 26, 2019, and summary of the onsite meeting dated July 17, 2019. The meeting was held at the property the evening of July 16, 2019; five neighbors attended.

PLANNING & DEVELOPMENT SERVICES RECOMMENDATION

PDSD recommends approval of the applicant's requested variances.

It is the opinion of staff there are special circumstances applicable to the property; that granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and that the variances requested are the minimum needed to afford relief and the least modification possible of those *UDC* provisions which are in question.

Heather Thrall, Lead Planner
for
Russlyn Wells, Zoning Administrator

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